



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, FIRST SESSION

Vol. 141

WASHINGTON, THURSDAY, FEBRUARY 16, 1995

No. 31

Senate

(Legislative day of Monday, January 30, 1995)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest chaplain, the Reverend Barbara D. Henry, of the Episcopal Diocese of Washington.

PRAYER

The guest chaplain, the Reverend Barbara D. Henry, of the Episcopal Diocese of Washington, offered the following prayer:

Let us pray:

Almightly and everlasting God, Creator of the universe with all its marvelous order and complexity; You have made us in Your image and given us dominion over all the Earth. Give us reverence for all Your creation—for the Earth which supports us, for all the myriad forms of life which inhabit this planet, and especially for the wonderful diversity of people and cultures in this world.

Give to all those who hold authority in this land, we pray, an awareness of the many blessings You have bestowed upon them. May our Senators be blessed, in all their deliberations, with ever new insight into Your purposes for the human race, and with wisdom and determination in making provisions for the future of our Nation. Direct and guide them in their words, which are heard by so many, and in their decisions, which will affect so many.

For You, O God, are the source of all wisdom, all power, all grace, and we give You glory for ever and ever. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. Under the previous order, the acting majority leader is recognized.

SCHEDULE

Mr. LOTT. Mr. President, this morning following the time for the two leaders, the time until 10:30 will be equally divided between the two leaders or their designees for debate on the motion to invoke cloture on the constitutional balanced budget amendment.

For the information of all our colleagues, at the hour of 10:30 this morning, there will be a rolcall on invoking cloture on the balanced budget amendment.

I now ask unanimous consent that at the hour of 10 a.m., Senator DASCHLE be recognized for up to 15 minutes, to be followed by Senator DOLE for up to 15 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LOTT. I further ask, Mr. President, that Senators have until 10:30 this morning to file any second-degree amendments to House Joint Resolution 1, the constitutional balanced budget amendment.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I would like to observe once again, as the leader pointed out last night, he did file cloture motions last night. Two of them were filed. Those would ripen or be available next Wednesday, the 22d, and the leader indicated that we should expect votes on those two cloture motions, if necessary to have the second one, and other amendments during that day unless some other agreement is reached. I yield the floor.

RECOGNITION OF DEMOCRATIC LEADER

The PRESIDENT pro tempore. Under the previous order, the Democratic leader is recognized.

Mr. DASCHLE. I thank the President pro tempore. I wish him a good morning.

(Mr. COVERDELL assumed the chair.)

COMMITMENT TO HONEST BALANCED BUDGET AMENDMENT

Mr. DASCHLE. Mr. President, the first legislative action I took when I came to Congress in 1979 was to introduce a constitutional amendment to require a balanced budget.

I believed 16 years ago, as I believe today, that Government must learn to live within its means. I believed then, as I believe now, that we must trim the fat, cut the waste, and make the tough choices necessary to control spending.

I supported a balanced budget amendment then and I remain committed to an honest, fair, and forthright amendment now.

However, I have concluded I cannot support the one which is now being pushed through the body, without amendment or compromise.

The magnitude of the decision about how we propose to amend the Constitution should not be lost on anyone. A balanced budget amendment, if passed and ratified, will have a dramatic effect on the very nature of government and its relationship to the American people in all perpetuity. We cannot come back next year or next Congress and clean up our mistakes.

When we embark on such a path—to amend the Constitution—we must know that it is the best amendment we can write, that it incorporates the best ideas and the most carefully written words we have to offer.

It is critical now, as we contemplate amending the Constitution for only the 28th time, that we refuse to succumb to the notion that what we do is, as the old adage goes, "good enough for Government work."

This effort had a noble beginning. It was the result of the tireless work of the Senator from Illinois, the Senator

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S2771

from Utah, the Senator from Idaho, and many others to enforce fiscal discipline, something we all recognize is necessary.

The refusal to consider legitimate amendments, amendments that would make this constitutional amendment even stronger, has reduced this effort to something far less than our best.

When this debate began I expressed my concerns about the balanced budget amendment proposal before Members. I expressed a sincere hope that we could work together to address them and craft the best constitutional amendment this Senate could write on behalf of all the American people.

First, as many argued last year, Social Security should be viewed as an indelible contract between the Government and the American people, funded by a dedicated trust fund that should be left out of budgetary calculations. As written, it is clear that the current proposal uses the Social Security trust fund to mask the true size of the deficit, something that is patently inconsistent with our goal to balance the budget.

As a result it is estimated that \$705 billion of Social Security trust fund revenue will be used to mask the real size of the national deficit between now and the year 2002. In fact, that very issue was confirmed again this morning in the Wall Street Journal.

A speech that the majority leader gave yesterday to a group indicated that he saw the size of the deficit over the course of the next 7 years to be somewhere in the vicinity of \$685 billion, which would require some form of health care reductions to reduce that deficit to below the \$685 billion mark he suggests. Mr. President, \$685 billion, if that is the size of the deficit as my Republican colleagues would see it, clearly implies that the \$705 billion for Social Security is still on the table in spite of all of the best efforts made by many Members on the other side to indicate the contrary.

Second, I believe that budgetary discipline, common sense, and our long-term investment goals warrant the establishment of a budget that distinguishes between investment and consumption. We ought to use this opportunity once and for all to establish the same budgetary principles used by businesses and by most State governments.

Finally, as we have argued at some length during this debate, the American people have an absolute right to know how we plan to fulfill the promise of a balanced budget before they are called upon to ratify it. Working with my Democratic colleagues, we have proposed three balanced budget constitutional amendment approaches in a good-faith attempt to address those concerns and make the underlying amendment more sound.

Unfortunately, each of those amendments has been rejected essentially along party lines. The only way I can interpret those votes is that the major-

ity is saying, "We want our balanced budget amendment or no amendment at all." They are telling the American people to put their trust in good intentions and to live with consequences that are yet unknown.

We should support a balanced budget amendment. But we should never violate America's contract with its senior citizens merely because we are unwilling to make the tough choices now. Balancing the budget by cutting Social Security is no balanced budget at all.

Making tough choices is also an important part of what every family and every business must do. When a family balances its budget, we separate investments in our future, our home, our savings for our children's education, from the day-to-day expenditures on things like food and clothing. We are willing to borrow money to buy a home or pay for college but we cannot afford to take on too much debt because the interest is part of our day-to-day expenses and cannot exceed our income.

In short, we separate our capital budget from our operating budget. Nearly every State, nearly every business, small or large, does exactly the same thing. Everybody separates these two budgets except for the Federal Government. Just yesterday we proposed an amendment that said, let's be honest with the American people about the budget process. Separate investment from daily operating expenses. Do at the Federal level what has always been done in the States. But that proposal, too, was rejected.

I support a balanced budget amendment, but I also share the belief that we owe it to the American people to tell them how we will do what the amendment requires. We must not substitute political slogans for straight talk. We must not cover up the reality with rhetoric. We must not ask South Dakotans, or any Americans, to trust us or future Congresses if we are not willing to give them good reason to do so.

We cannot build a house of credibility if we do not produce the blueprint first. Neither can we build that house without knowing what tools to use. The American people have a right to know how we are going to achieve a balanced budget by the year 2002.

Two years ago when a Democratic Congress cut \$500 billion from the deficit, we gave the Congress and the country a blueprint of our list of budget-cutting tools—page after page of painful cuts. Everyone recognizes what an unpopular vote that was, how difficult it was to make those choices, to lay out with specificity, line by line, item by item, exactly what we were going to do over the course of the next 5 years to reduce spending by \$500 billion. And because it was tough, because it was specific, it passed by a single vote.

Today the American people have the same right to know. They have a right to know what is in the plan. They have a right to know whether the majority

plans to cut Medicare, student loans, or veterans benefits.

Our deficit reduction target is at least \$1.2 trillion—\$1.2 trillion—over the course of the next 7 years. It is not going to get smaller, and with each year of delay, it is going to be exacerbated. It is a daunting goal, we all recognize that, but we all recognize, too, that it must be met.

The question, frankly, is how. How are we going to do it? How are we going to do what the speech by the majority leader yesterday suggested? Are we going to keep Social Security on the table and talk about a debt that is only \$685 billion? Are we going to include everything, put it on the table, recognize that if we are going to increase defense spending, if we are going to cut taxes, if we are going to protect Social Security and do all of this in the next 7 years, that we are going to do it using the tools that we have available to us?

Americans have a right to know. We have a responsibility to tell them.

I proposed the right-to-know amendment to the Constitution that would both require a balanced budget and require Democrats and Republicans to work together to draft a plan and make it public. But the amendment was defeated, and the result will be that this Congress will collectively say "no" to being honest with the American people, leaving us with only the hope—only the hope—that we can accomplish our goals. No blueprint, no mechanism in place, no real plan. Just a hope that somehow we can do something in 7 years that we have not been able to do in decades.

Everyone would agree that the idea of a balanced budget in the abstract has universal support. But no budget is balanced in the abstract. Budgets are balanced in the context of existing circumstances. We have a new majority in Congress that claims it will cut taxes, increase defense spending and balance the budget, but refuses to explain how and refuses to guarantee that it will be accomplished fairly.

Last year, I supported a balanced budget amendment. This year, in this context, I cannot.

Last year, a Democratic Congress was committed to protecting Social Security and Medicare. This year, the new majority has been unwilling to do so in law. Last year, Congress honored the people's right to know. Last year, Congress was committed to an open, honest debate about how to reduce Government spending.

Last year, Congress leveled with the American people. This year, the majority refuses to acknowledge Americans' right to know.

This country is in need of a serious, principled debate about our future and our increasing national indebtedness. It should be a debate about the generational debt that we owe our children and how best to discharge it. It should be a debate about the ways past Government commitments to Americans will always be kept. It should be a

debate about rational fiscal policy, about consumption versus investment, savings over spending, and all of the elements that together make up a sound basis for future economic growth. It should be a debate about what we hold to be most important now and in the future.

That debate may never come. Yet, I deeply hope it will come, and when it does, I hope we will have an opportunity to write an amendment to the Constitution that represents our best effort, one which will stand the test of time, a balanced budget amendment that honors our past commitments, protects our future investment, and tells the American people the truth. It must be a serious obligation, not merely a statement made of good intentions.

Finally, while I believe we need an honest and fair balanced budget amendment, I know we need an honest and fair balanced budget even more. We can and we must get immediately to the real work of deficit reduction. I know I speak for my Democratic colleagues when I say we are ready to work with the majority right now to develop a budget resolution that cuts spending and balances the budget. It is an effort which requires bipartisan cooperation as well as concentration.

So, Mr. President, whatever the fate of this amendment, it is time for us to work together to fulfill that promise and renew the hope of all American people that at long last—at long last—we can accomplish what we all want and what our children deserve.

I yield the floor.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. LOTT. Mr. President, I ask unanimous consent that I be allowed to proceed for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

BALANCED BUDGET AMENDMENT

Mr. LOTT. Mr. President, I listened very carefully to the distinguished Democratic leader's remarks. I know he is very serious about the issue of debts and the deficit that we have each year. I know he is serious about a constitutional amendment for a balanced budget because he voted for it just 1 year ago. And I believe and certainly hope that in the end, he will vote for the balanced budget amendment this year.

I believe this has been a very serious, principled debate. This legislation, which is identical to the balanced budget amendment the Democratic leader voted for last year, has been carefully drafted. I remind my colleagues that it passed the other body by a vote of 300 to 132—an overwhelming bipartisan vote after serious consideration in the debate before the House of Representatives. Our own

Senate Judiciary Committee reported it out after careful consideration on a bipartisan vote.

A number of amendments have been offered, considered, debated, and voted on, and all of them have been defeated by bipartisan votes. On one of the votes yesterday, there were actually nine Democrats who voted to table it, while eight Republicans voted against tabling it. So we are having a very serious debate here with Members voting their conscience.

We are now in the 18th day of debate on this constitutional amendment for a balanced budget. Last year, we had an extended floor debate and a vote on this exact amendment. I think the high water mark, up until this year, for debate on a constitutional amendment for a balanced budget has been about 11 days. So we certainly are giving it plenty of time for thoughtful consideration. And because of delays in getting an agreement when we might bring this to a conclusion, we apparently will still be on this amendment next week. It will have been a full month that we have taken to consider this legislation. That is fine because, in the end, I believe we are going to pass it with a good, strong bipartisan vote.

Let me quote some very strong words in support of the balanced budget amendment:

To remedy our fiscal situation, we must stop spending beyond our means. This will not require the emasculation of important domestic priorities as some suggest.

In this debate on a balanced budget amendment, we are being forced to face the consequences of our inaction. Quite simply, we are building a legacy of debt for our children and grandchildren and hamstringing our ability to address pressing national priorities.

Those are the words of the distinguished Democratic leader just last year, February 28, 1994, in support of a balanced budget amendment to the Constitution.

With regard to the right to know, we need to work together on this. We cannot say today everything that we are going to do in a budget resolution this year or next year or in 5 or 7 years. It will depend on the Budget Committee, the vote and actions on the floor of the Senate. It will take all of us working together, no matter where we are from, what party or what philosophy.

With regard to the right to know, this is what the distinguished Democratic leader said just last year:

Congress and the President will have 7 years to address the current deficit and reach a consensus on our Nation's budget priorities. We will have time to find ways to live within our means and still meet existing obligations to our citizens, particularly the elderly.

I agree.

But this year, we debated the right-to-know amendment, and it was rejected with 56 votes against it—again a bipartisan vote.

With regard to protecting our seniors, minority leader DASCHLE last year said:

Requiring the Government to operate within its budget does not mean * * * we would be forced to renege on our current obligations to America's seniors. For my part, such a requirement would not lessen our commitment to * * * protecting Social Security.

I agree. Last year, the minority leader also said:

By the year 2020, most of the baby boom generation will have retired, and those retirees will be supported by a smaller working population. In order to ensure that we can meet our commitments to future retirees without jeopardizing the standard of living of working men and women, we must seek to maximize economic growth during the early 21st century. Our current budget deficit is eating away at that growth and undermining our economic potential.

The point the minority leader made last year is that if we do not have a balanced budget amendment, if we do not get our fiscal house in order, the people who will suffer the most are our seniors. So I think the minority leader's comments—and I have many others—just 1 year ago on the constitutional amendment for a balanced budget were excellent. I agree with them. I voted with him then, and I hope we are going to vote together this time because this is exactly the same amendment we both voted for just last year.

I remind my colleagues, too, that just 1 year ago when I offered an amendment to try to block tax increases on Social Security retirees, some of the same people who are now pleading their concern for our seniors and their Social Security benefits, where were they when we were trying to block on a bipartisan vote tax increases on their retirement benefits? Where were they last year? Why were they not worried about Social Security retirees, Medicare and Medicaid, then?

Where were they last year when the President proposed billions of dollars in cuts in Medicare in his health care proposal? President Clinton proposed to cut Medicare by \$124 billion over 5 years in his health care plan. And in 1993, the President cut \$53 billion from Medicare as a part of his tax bill. Were they not worried about the seniors then? Were they not worried about Medicare then?

Look, the issue of right-to-know is another red herring; it is simply an attempt to scare seniors about Social Security. It boils down to a very simple question: Are you for a constitutional amendment for a balanced budget or not? If you are, you vote yes. If you are not, vote no. And the people will know how you feel about this. Are you prepared to explain how this year you are against the balanced budget amendment but last year you voted for it? Why? Is it because there is a different majority? I cannot believe that.

We have an opportunity here to do what is right for our country—to have the additional pressure on Congress to control spending, not raise taxes.

Everybody keeps saying, Oh, we reduced the deficit in 1993. The so-called 1993 deficit reduction bill was attempted to reduce the deficit through